

REMARKS

Claims 1, 2, 5 and 6 are pending in the present application. Claims 1 and 2 have been amended herein. No new matter has been added. Applicant requests reconsideration of the advisory action, entry of the amendment and allowance of the application.

In the Advisory Action, the Examiner refused to enter the amendment of cancelling the step of “checking a version number” in claim 1 for the reason that the amendment raises new issues that would require further consideration and/or search and has changed the scope of claim 1. Applicant respectfully disagrees with this conclusion.

As discussed in the response to the Final Office Action, claim 1 recites:

A method for processing Create Packet Data Protocol (PDP) Context Request, comprising:

1) storing Cause values of different versions as well as definitions for all the Cause values in a GSN (GPRS Support Node) receiving a Create PDP Context Request message;

2) after receiving the Create PDP Context Request, the GSN performing internal processing, and filling a Cause value in a Create PDP Context Response according to a processing result of the internal processing;

3) encapsulating the Create PDP Context Response, and returning it to the sender of the Create PDP Context Request;

wherein the Step 2) comprises:

2A) the GSN receiving the Create PDP Context Request message;

2B) the GSN performing internal processing and getting the processing result;

2C) if the processing result is that the GSN has created a PDP context successfully, the Cause value is set as “Request Accepted”;

2D) if the processing result is that the GSN fails to create a PDP context because no free dynamic PDP address is available, reading the Create PDP Context Request message and checking a version number of the message according to a message header thereof, if it is the GTPv1 version, the Cause value is set as “All dynamic PDP addresses are occupied”;

otherwise, it is the GTPv0 version, and the Cause value is set as “No resources available”;

2E) if the processing result is that the GSN fails to create a PDP context because there is no enough memory available, reading the Create PDP Context Request message and checking the version number of the message according to the message header thereof, if it is the GTPv1 version, the Cause value is set as “No memory is available”; otherwise, it is the GTPv0 version, and the Cause value is set as “No resources available”;

2F) if the processing result is that the GSN fails to create a PDP context due to lack of resources other than the above, setting the Cause value as no resources are available without checking the version number of the created PDP context request message.

In claim 1, the amendment cancelling the step of “checking a version number” does not raise new issues that would require further consideration and/or search and has not changed the scope of claim 1.

Firstly, the amendment of claim 1 in the response to the Final Office Action does not raise new issues that would require further consideration and/or search at all. Claim 1 in the response to the Final Office Action includes all the features of original claim 4 which has been fully considered and searched by the Examiner in both the First Office Action and the Final Office Action, and thus claim 1 has already been considered and searched in the previous office actions accordingly and needs no further consideration and search. See the first office action and the Final Office Action, both of which has considered original claim 4.

Secondly, the amendment of cancelling the step of “checking a version number” in the above claim 1 does not change the scope of claim 1. The amendment is actually a correction to make claim 1 clearer and in conformity with the scope of original claim 4 in which “checking a version number” is done only after internal processing being done

with result being PDP context creation is failed due to insufficient resource/memory. In other words, this correction is just to make claim 1 define *a scope completely the same as that of original claim 4* which has already considered by the Examiner, instead of defining *a new scope* which has not been considered by the Examiner.

In more detail, the descriptions in the above claim 1 that the step of filling a Cause value no longer depends on version checking but on internal processing and that the step of version check is done only after internal processing being done with result being PDP context creation is failed due to insufficient resource/memory are actually included in the scope of the original claim 4 and are supported by Figure 4, and meanwhile, the original claim 4 has been considered and searched in the previous office actions. As can be concluded from the above obviously, the amendment of the above claim 1 is just a correction but not an essential amendment. Therefore, claim 1 defines the scope of original claim 4 instead of changing the scope of claim.

In addition, in the Final Office Action, the Examiner rejected original claim 1 as “checking a version number” in original claim 1 is contradict to the steps 2D) and 2E) of original claim 4 (See page 12, second paragraph of the Final Office Action). To overcome this rejection, Applicant thus cancelled the step of “checking a version number” in the above claim 1, and this amendment should be entered because it is made complying with a requirement of form expressly set forth in the Final Office Action according to the 37 CFR 1.116 (b)(1) saying “an amendment may be made canceling claims or complying with any requirement of form expressly set forth in a previous Office action”.

In view of the forgoing, Applicant respectfully requests the Examiner to enter the above amendment and to consider the claim 1 as patentable in view of the reasons submitted in the response to the Final Office Action.

Applicant further submits that claims 1, 2, 5 and 6 are patentable over 3GPP Release 1999 in view of E3GPP RELEASE 1997, for the reasons discussed in the Amendment filed August 17, 2009. For purposes of brevity, these arguments are not repeated herein. Instead, reference is made to the previous amendment.

In view of the above, Applicant respectfully submits that this response complies with 37 C.F.R. § 1.116. Applicant further submits that the claims are in condition for allowance. Entry of the amendment and allowance of the application are therefore respectfully requested.

Respectfully submitted,

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